



# Minnesota Pollution Control Agency

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## **Solid Waste Management Facility Permit**

**Permit:** SW-281

AIM Development Solid Waste Disposal Facility

**Action:** PER006

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In accordance with Minn. Stat. chs. 115, 115A, and 116, and Minn. Rules chs. 7000, 7001, and 7035, the Minnesota Pollution Control Agency (MPCA) hereby issues this permit and authorizes the permittee listed on the following page to construct and operate the AIM Development Solid Waste Disposal Facility, SW-281 under the conditions set forth in this permit.

The facility consists of 70 acres located in: Township 125 N, Range 28 W, Section 28, Stearns County, in the MPCA Brainerd Region. The facility includes the following waste activity area(s):

Industrial Waste Disposal Area

IL001

The determination to issue this permit is discretionary with the MPCA and was made subsequent to MPCA staff review of the permit application. The term commissioner, as used in this permit, refers to the MPCA Commissioner or MPCA personnel who have been delegated explicit authority by the commissioner. Other terms used in this permit are defined in Minnesota Statutes, the MPCA Solid Waste Management Rules, or specifically defined in this permit.

Permit Issuance Date: 03/12/2009

Permit Expiration Date: 03/12/2014

Permit Modified Date:

Minnesota Pollution Control Agency

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Ainars Z. Silis

Supervisor, Land Permits Unit

Land and Air Compliance Section

Industrial Division

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**Solid Waste Management Facility Permit**

AIM Development Solid Waste Disposal Facility

**Permit:** SW-281

**Action:** PER006

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The following permittee is authorized to construct and operate the AIM Development Solid Waste Disposal Facility, SW-281 under the conditions set forth in this permit.

**Permittee Activity Owner, Land Owner, and  
Operator:**

AIM Development (USA) LLC

**Address:**

100 East Sartell Street  
Sartell, Minnesota 56377

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## **1. TOTAL FACILITY**

### **1.1 General**

#### **1.1.1 Definitions**

- 1.1.2 "Permittee" means the landowner, facility owner(s), and facility operator(s).
- 1.1.3 "Facility" has the meaning given in Minn. R. 7035.0300, subp. 37.
- 1.1.4 "Waste Activity" means the storage, processing, transfer, utilization, treatment, or disposal of solid waste and waste by-products.
- 1.1.5 "Waste Activity Area" means the land, structures, monitoring devices, and other appurtenances and improvements on the land associated with a waste activity.

#### **1.1.6 Waste Activities**

- 1.1.7 The facility waste activities authorized by this permit are limited to those activities described in the Waste Capacity Table of this permit. Waste authorized for disposal in the facility will consist of wood yard waste (log wash grit and truck sweepings), paper mill bar screenings, wastewater grit, boiler ash, and scrubber cake generated by Verso Paper.

#### **1.1.8 Location**

- 1.1.9 The facility authorized by this permit occupies approximately 70 acres and is located in the SW 1/4 of Section 27 and the SE 1/4 of Section 28, T125N, R28W, in Stearns County, Minnesota. The facility mailing address is:

Verso Paper Corp  
100 East Sartell Street  
Sartell, Minnesota 56377

#### **1.1.10 Facility History**

- 1.1.11 In 1984, the Minnesota Pollution Control Agency (MPCA) issued a permit to Champion International Corporation to construct and operate an industrial solid waste land disposal facility on approximately 70 acres for an airspace volume of 800,000 cubic yards. On November 20, 1992, the MPCA reissued permit SW-281 to Champion International Corporation. On January 1, 2001, International Paper Company and Champion International Corporation merged and the successor corporation was International Paper Company. On August 1, 2006, the Sartell Mill was purchased by CMP Holdings LLC from International Paper Company. Subsequently, CMP Holdings LLC changed its name to Verso Paper LLC and then to Verso Paper Corporation. On March 8, 2013, Verso Sartell LLC, a wholly owned subsidiary of Verso Paper Corporation, was purchased by AIM Development (USA) LLC.

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**TOTAL FACILITY**

**General**

**1.1.12 Facility Description**

1.1.13 The facility authorized by this permit is an industrial solid waste land disposal facility. The industrial solid waste land disposal facility occupies approximately 27 acres and has an ultimate airspace capacity of 1,505,680 cubic yards which includes all solid waste, intermittent, intermediate, and final cover materials. This 27 acre area will be developed in four phases as shown on the plan sheets.

The existing Phases 1 and 2 occupy approximately 13 acres and the proposed Phases 3 and 4 occupy approximately 14 acres to be constructed west of Phases 1 and 2. Phase 1 and 2 each consist of 4 cells. This permit grants 690,310 cubic yards of disposal capacity in Phases 1 and 2 which includes all solid waste, intermittent, intermediate, and final cover materials. Based on a topographic survey conducted on November 1, 2007, the remaining airspace capacity of Phases 1 and 2 is approximately 313,009 cubic yards. Phases 1 - 4 are designated as Waste Activity IL001 under this permit.

**1.2 Permit Documents**

**1.2.1 Permit Application**

1.2.2 The permit application approved by this permit is dated August 2008. The addendum dated November 4, 2008, is also approved by this permit.

**1.2.3 Engineering Documents**

1.2.4 The engineering documents approved by this permit include:

1. Permit Reissuance Application prepared by Wenck Associates, Inc dated August 2008 including, but not limited to:

- \* Design Report
- \* Technical Specifications and Construction Quality Assurance Manual
- \* Facility Drawings
- \* Operations and Maintenance Plan
- \* Closure, Postclosure and Contingency Action Plan
- \* Cost Estimates

2. Response to MPCA Comments, dated November 4, 2008, and prepared by Wenck Associates, Inc.

3. Modified Facility Drawings, Sheets 1, 6, and 11, dated December 5, 2008, and prepared by Wenck Associates, Inc.

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**TOTAL FACILITY**

**Permit Documents**

1.2.5 The approved plans are incorporated into this permit. In addition, the approved version of all pending submittals required by this permit are incorporated into this permit. In all cases where the permit and the plans or submittals differ, the requirements of the permit shall govern over a condition in the plan or submittal. The approval by the Commissioner of the plans and specifications shall not release the permittee from any present or subsequent requirements of statutes, rules, regulations, or ordinance.

**1.2.6 Hydrogeologic Evaluation Documents**

1.2.7 The hydrogeologic evaluation documents approved by this permit include:

1. Permit Reissuance Application prepared by Wenck Associates, Inc. dated August 2008 including, but not limited to:
  - \* Design Report
  - \* Technical Specifications and Construction Quality Assurance Manual
  - \* Facility Drawings
  - \* Operations and Maintenance Plan
  - \* Closure, Postclosure and Contingency Action Plan
  - \* Cost Estimates

2. Response to MPCA Comments, dated November 4, 2008, prepared by Wenck Associates, Inc.

**1.2.8 Revised Plans**

1.2.9 Any revised plans shall be submitted for approval by the Commissioner. The Permittee shall obtain approval from the Commissioner on all revised engineering plans prior to construction of the affected portion of the facility. Revised plans shall be consistent with Minn. R. 7035.1800.

**1.3 Design and Construction Criteria**

**1.3.1 Location Standards**

1.3.2 The Permittee may not locate, establish, or construct a solid waste management facility in areas designated in Minn. R. 7035.2555.

**1.3.3 Ground Water Quality, Surface Water Quality, Air Quality, and Soil Protection**

1.3.4 The Permittee must locate, design, and construct the facility to prevent pollution of groundwater and surface water, minimize the contamination of soils from solid waste, and maintain the facility in conformance with MPCA air pollution control rules in accordance with Minn. R. 7035.2565.

**1.3.5 Storage Standards**

1.3.6 A waste activity area where solid waste is stored must be designed in accordance with Minn. R. 7035.2855 except as provided in, subp. 1 and Minn. R. 7035.2525, subp. 2.

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**TOTAL FACILITY**

**Design and Construction Criteria**

**1.3.7 Storm Water Management System**

1.3.8 The Permittee shall construct and certify the stormwater management system for the facility with Best Management Practices (BMP) to manage stormwater discharge in accordance with the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit for the discharge of stormwater associated with an industrial activity and/or a construction activity.

**1.3.9 Construction Plan**

1.3.10 The Permittee shall submit detailed construction plans and specifications for MPCA approval prior to construction of the liner for Phases 3 and 4. The Permittee must submit a construction plan to the Commissioner for approval prior to any construction event if the construction plan proposes any major revisions to the approved design.

**1.3.11 Construction Notification**

1.3.12 Unless the Commissioner orders otherwise, the Permittee shall notify appropriate MPCA staff at least ten (10) working days in advance of construction of the facility or any component thereof.

**1.3.13 Construction Certification**

1.3.14 The Permittee must submit a construction certification for approval by the Commissioner in accordance with Minn. R. 7035.2610. A facility waste activity or any new design feature must not be placed into operation until the construction certification has been approved by the Commissioner.

**1.3.15 Alterations and Additions**

1.3.16 The Permittee shall not make any major alterations or additions to the facility that would materially alter the manner in which waste is managed without first obtaining the written consent of the Commissioner.

**1.4 Operating and Maintenance Criteria**

**1.4.1 Storage of Solid Waste**

1.4.2 The Permittee shall be responsible for the satisfactory storage of all solid waste accumulated at the facility in accordance with Minn. R. 7035.0700 and Minn. R. 7035.2855.

**1.4.3 Collection and Transportation of Solid Waste**

1.4.4 The Permittee shall provide for the proper collection and transportation of solid waste in accordance with Minn. R. 7035.0800.

**1.4.5 Unacceptable Wastes**

1.4.6 The Permittee must not accept specific wastes for treatment storage, processing, or disposal in accordance with Minn. R. 7035.2535, subp. 1.

**1.4.7 Required Notices**

1.4.8 The Permittee must notify the MPCA before transferring ownership or operation of a solid waste management facility during its operating life or during postclosure care period in accordance with Minn. R. 7035.2535, subp. 2.

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**TOTAL FACILITY**

**Operating and Maintenance Criteria**

**1.4.9 Security**

- 1.4.10 The Permittee must prevent unauthorized entry onto the facility in accordance with Minn. R. 7035.2535, subp. 3. In addition, the Permittee shall post a sign at the entrance of the facility and each waste activity area showing the facility name, MPCA permit number, and any other relevant information.

**1.4.11 General Inspection**

- 1.4.12 The Permittee must perform general inspections in accordance with Minn. R. 7035.2535, subp. 4.

**1.4.13 Industrial Solid Waste Management Plan**

- 1.4.14 The Permittee must manage industrial solid waste for each waste activity as specified in the approved plan in accordance with Minn. R. 7035.2535, subp. 5.

**1.4.15 Personnel Training**

- 1.4.16 Facility personnel must successfully complete a program of classroom instruction or on-the-job training to maintain compliance with Minn. R. 7035.2525 to 7035.2915.

**1.4.17 Stormwater Management System**

- 1.4.18 The Permittee shall operate and maintain the stormwater management system for the facility with BMPs to manage stormwater discharges in accordance with the NPDES/SDS Permit for the discharge of stormwater associated with an industrial activity and/or a construction activity.

**1.4.19 Ground Water Quality, Surface Water Quality, Air Quality, and Soil Protection**

- 1.4.20 The Permittee must operate and maintain the facility to prevent pollution of groundwater and surface water, minimize the contamination of soils from solid waste, and maintain the facility in conformance with MPCA air pollution control rules in accordance with Minn. R. 7035.2565.

**1.4.21 Operating Record**

- 1.4.22 The Permittee must keep a written operating record at the facility in accordance with Minn. R. 7035.2575.

**1.5 Reporting Criteria**

**1.5.1 Annual Facility Report**

- 1.5.2 The Permittee shall submit an annual facility report for the preceding calendar year in accordance with Minn. R. 7035.2585. When required of a waste activity, the report must include summary evaluation reports and specific annual reporting requirements. The Permittee shall submit the report to the Commissioner according to the schedule in the Required Actions and Submittals Table(s) of this permit.

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**TOTAL FACILITY**

**Reporting Criteria**

**1.5.3 Electronic Data Reporting**

- 1.5.4 The Permittee shall submit an electronic copy of all water quality and leachate monitoring data for each monitoring event. Electronic data must be submitted in the format outlined in the MPCA Solid Waste Program Electronic Laboratory Data Submittal Manual which can be found on the MPCA Solid Waste Permitting webpage at <http://www.pca.state.mn.us/waste/swpermits.html#data>. The schedule for submitting electronic copies of monitoring data shall follow the schedule outlined for monitoring reports as identified in the Required Actions and Submittals Table(s) of this permit.
- 1.5.5 Unless specifically directed by the Commissioner, the submittal of a paper copy of all water monitoring reports as outlined in the Required Actions and Submittals Table(s) is still required.

**1.5.6 Monitoring Station Location Information**

- 1.5.7 Location and elevation data shall be collected for all monitoring stations. For any new monitoring station, location data must be submitted in latitude/longitude coordinates and the datum used must be identified. Elevation data for monitoring wells must include the elevation of the riser pipe and ground surface. The depth of the well from the top of the riser pipe must also be identified. If existing data is being reported, the surveying method and datum used to collect the information must be identified.

**1.6 Contingency Action Criteria**

**1.6.1 Contingency Action Plan**

- 1.6.2 The Permittee shall address all facility waste activities in the approved plan in accordance with Minn. R. 7035.2615 and the Contingency Action Plan.

**1.6.3 Emergency Preparedness and Prevention**

- 1.6.4 The Permittee must design, construct, maintain, and operate a facility to minimize the possibility of a fire, explosion, or any release to air, land, or water of pollutants that threaten human health and the environment in accordance with Minn. R. 7035.2595.

**1.6.5 Emergency Procedures**

- 1.6.6 The Permittee must take all reasonable containment measures during an emergency and submit a written report to the commissioner in accordance with Minn. R. 7035.2605.

**1.7 Closure Criteria**

**1.7.1 Closure Plan**

- 1.7.2 The Permittee must close the facility and each waste activity as specified in the approved plan in accordance with Minn. R. 7035.2625.

**1.7.3 Closure Procedures**

- 1.7.4 The Permittee must perform closure in accordance with Minn. R. 7035.2635.



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**TOTAL FACILITY**

**1.8 Postclosure Criteria**

**1.8.1 Postclosure Plan**

1.8.2 The Permittee must comply with postclosure requirements in the approved plan in accordance with Minn. R. 7035.2645.

**1.8.3 Postclosure Care**

1.8.4 The Permittee must perform postclosure care in accordance with Minn. R. 7035.2655, subp. 1.

**1.8.5 Postclosure Use of Property**

1.8.6 The Permittee must comply with postclosure use of property requirements in accordance with Minn. R. 7035.2655, subp. 2.

**1.9 Financial Criteria**

**1.9.1 Cost Estimates**

1.9.2 The Permittee must keep the current cost estimates for each waste activity at the facility during the operating life in accordance with Minn. R. 7035.2685, subp. 2.

**1.10 General Conditions**

**1.10.1 Release**

1.10.2 The MPCA's issuance of a permit does not release the Permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes, or regulations, or local ordinances including, but not limited to, those promulgated pursuant to Minn. Stat. chs. 115, 115A, 116, 400 and 473. This permit shall be permissive only and shall not be construed as estopping or limiting any claims against the Permittee, its agents, contractors, or assigns, nor as estopping or limiting any legal claims of the state against the Permittee, its agents, contractors, or assigns for damages to state property, or for any violation of the terms of this permit.

**1.10.3 Future Changes**

1.10.4 The MPCA's issuance of a permit does not prevent the future adoption by the MPCA of pollution control rules, standards, or enforcement orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or enforcement orders against the Permittee.

**1.10.5 Rights and Privilege**

1.10.6 The permit does not convey a property right or an exclusive privilege.

**1.10.7 Enforcement**

1.10.8 The MPCA's issuance of a permit does not obligate the MPCA to enforce local laws, rules or plans beyond that authorized by Minnesota Statutes.

**1.10.9 Performance**

1.10.10 The Permittee shall perform the actions or conduct the activity authorized by the permit in accordance with the submittals and specifications approved by the MPCA and in compliance with the conditions of the permit.

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**TOTAL FACILITY**

**General Conditions**

**1.10.11 Operation and Maintenance**

1.10.12 The Permittee shall at all times properly operate and maintain the facilities and systems of treatment and control and the appurtenances related to them which are installed or used by the Permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The Permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible.

**1.10.13 Honesty**

1.10.14 The Permittee may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the MPCA or the Commissioner by the permit. The Permittee shall immediately upon discovery report to the Commissioner an error or omission in these records, reports, submittals or other documents.

**1.10.15 Timely Information Submittal**

1.10.16 The Permittee shall, when requested by the Commissioner, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit.

**1.10.17 Access**

1.10.18 When authorized by Minn. Stat. 115.04, 115B.17, subd. 4 and 116.091, and upon presentation of proper credentials, the MPCA, or an authorized employee or agent of the MPCA, shall be allowed by the Permittee to enter at reasonable times upon the property of the Permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit.

**1.10.19 Discovery of Noncompliance**

1.10.20 If the Permittee discovers, through any means, including notification by the MPCA, that noncompliance with a condition of the permit has occurred, the Permittee shall take all reasonable steps to minimize the adverse impacts on human health, public drinking water supplies, or the environment resulting from the noncompliance.

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**TOTAL FACILITY**

**General Conditions**

**1.10.21 Notification of Noncompliance**

1.10.22 If the Permittee discovers that noncompliance with a condition of the permit has occurred which could endanger human health, public drinking water supplies, or the environment, the Permittee shall, within 24 hours of the discovery of the noncompliance, orally notify the Commissioner. Within five (5) days of the discovery of the noncompliance, the Permittee shall submit to the Commissioner a written description of the noncompliance; the cause of the noncompliance; the exact dates of the period of the noncompliance; if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

**1.10.23 Reporting of Noncompliance**

1.10.24 The Permittee shall report noncompliance with the permit not reported in the Notification of Noncompliance subheading above by submitting the information listed in Notification of Noncompliance within 30 days of the discovery of the noncompliance.

**1.10.25 Alterations**

1.10.26 The Permittee shall give advance notice to the Commissioner as soon as possible of planned physical alterations or additions to the permitted facility or activity that may result in noncompliance with a Minnesota or federal pollution control statute or rule or condition of the permit.

**1.10.27 Transferability**

1.10.28 The permit is not transferable to any person without the express written approval of the MPCA after compliance with the requirements of Minn. R. 7001.0190. A person to whom the permit has been transferred shall comply with the conditions of the permit.

**1.10.29 Responsibility for Damage**

1.10.30 The permit authorizes the Permittee to perform the activities described in the permit under the conditions of the permit. In issuing the permit, the state and MPCA assume no responsibility for damage to persons, property, or the environment caused by the activities of the Permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under the permit. To the extent the state and MPCA may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act, Minn. Stat. 3.736.

**1.10.31 Modifying or Revoking Permit**

1.10.32 The Commissioner may commence proceedings to modify or revoke this permit during its terms if cause exists under Minn. R. 7001.0170 to 7001.0180.

**1.10.33 Severability**

1.10.34 The provisions of this permit are severable. If any provision of this permit is held invalid, the remainder of this permit shall not be affected.

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**TOTAL FACILITY**

**General Conditions**

**1.10.35 Extensions**

1.10.36 The Permittee may request an extension of the dates set forth in this permit including the submittal and monitoring dates. The request must include justification for requesting the extension of the date. Based on the justification, the Commissioner may grant an extension.

**1.10.37 Term of Permit**

1.10.38 This permit is valid until the expiration date unless revoked or modified by the MPCA pursuant to Minn. R. 7001.0170 to 7001.0180. To allow for adequate MPCA review time and to avoid possible termination of the permit at the time the permit expires, an application for reissuance of the permit must be submitted no later than 180 calendar days before the expiration date of the permit.

**1.10.39 Retention of Records**

1.10.40 The Permittee must maintain records of all groundwater monitoring data and groundwater surface elevations for the active life of the facility and each waste activity and, for disposal activities, for the postclosure care period. The Permittee must also maintain an operating record in accordance with Minn. R. 7035.2575 until closure of each waste activity at the facility.

**1.10.41 As-built Plans**

1.10.42 The Permittee may not start treatment, storage, or disposal of solid waste in a new solid waste management facility or in a modified portion of an existing solid waste management facility until the Commissioner has received a letter and as-built plans signed by the owner or operator and by an engineer registered in Minnesota certifying that the facility or modified portion of the facility has been constructed in compliance with the conditions of the permit.

**1.10.43 Construction Certification**

1.10.44 The Permittee may not start treatment, storage, or disposal of solid waste in a new solid waste management facility or in a modified portion of an existing solid waste management facility until the Commissioner has inspected the new facility or modified portion of the facility and has provided the owner or operator with a letter stating that the certification submitted is complete and approved.

**1.10.45 Financial Assurance**

1.10.46 The Permittee may not start treatment, storage, or disposal of solid waste in a new solid waste management facility or in a modified portion of an existing solid waste management facility until the commissioner has approved the financial assurance amount and instrument to be used for the facility in accordance with Minn. R. 7035.2665 to 7035.2805.

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## **2. INDUSTRIAL WASTE DISPOSAL AREA IL 001**

### **2.1 Design and Construction Criteria**

#### **2.1.1 Design**

2.1.2 The Permittee must design and construct the disposal area in accordance with this permit and Minn. R. 7035.1590 to 7035.2500.

2.1.3 The disposal area must be designed in accordance with Minn. R. 7035.2815, subp. 5.

#### **2.1.4 Prohibited Areas**

2.1.5 The disposal of industrial solid waste is prohibited within the areas outlined in Minn. R. 7035.1600.

#### **2.1.6 Permit Application and Required Plans**

2.1.7 Plans, including a permit application, report, and drawings must be prepared by a registered engineer of Minnesota. The submitted plans must include those outlined in Minn. R. 7035.1800.

#### **2.1.8 Location of Disposal Area**

2.1.9 The disposal area must be located in accordance with Minn. R. 7035.2555 and Minn. R. 7035.2815, subp. 2.

#### **2.1.10 Construction**

2.1.11 At a minimum, all major design features must incorporate the construction requirements of Minn. R. 7035.2815, subp. 12. into the project specifications.

#### **2.1.12 Liner Design**

2.1.13 The liner must comply with the requirements of Minn. R. 7035.2815, subp. 7.

#### **2.1.14 Cover and Liner Materials Evaluation**

2.1.15 At a minimum, soils intended for use as cover or liner material must be evaluated in accordance with Minn. R. 7035.2815, subp. 8.

#### **2.1.16 Cover System**

2.1.17 The cover system must comply with the requirements of Minn. R. 7035.2815, subp. 6, Items D and E.

#### **2.1.18 Leachate Detection, Collection, and Treatment System**

2.1.19 The disposal area must include a leachate detection, collection, and on-site or off-site treatment system in accordance with Minn. R. 7035.2815, subp. 9.

Off-site treatment of leachate will be provided by the Saint Cloud Wastewater Treatment Facility as indicated in the approved permit application documents listed in the Permit Documents heading of this permit. The Verso Paper Waste Treatment Plant is approved as a back-up leachate treatment option.

#### **2.1.20 Stormwater Management System**

2.1.21 The Permittee shall construct and certify the stormwater management system for the disposal area with BMPs to manage stormwater discharges in accordance with the NPDES/SDS Permit for the discharge of stormwater associated with an industrial activity and/or construction activity.

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**INDUSTRIAL WASTE DISPOSAL AREA IL 001**

**Design and Construction Criteria**

2.1.22 The Permittee must design and construct a run-on control system to prevent flow onto the waste activity area and a run-off control system to collect and control flow from the waste activity area resulting from a 24-hour, 25-year storm.

**2.1.23 Water Monitoring Systems**

2.1.24 The Permittee must design and install a water monitoring system in compliance with Minn. R. 7035.2815, subp. 10.

**2.2 Operating and Maintenance Criteria**

**2.2.1 Maintenance and Operation**

2.2.2 The Permittee must maintain and operate the disposal area in conformance with the practices outlined in Minn. R. 7035.1590 to Minn. R. 7035.2500 unless otherwise allowed by this permit.

**2.2.3 Basic Permit, Certification, and Compliance**

2.2.4 The disposal area must not be opened or placed into operation until the basic permit, certification, and compliance requirements of Minn. R. 7035.1900 have been satisfied.

**2.2.5 Operation and Maintenance**

2.2.6 The disposal area must be operated by a certified operator, as defined in Minn. R. 7048.0100 to 7048.1300, and in accordance with Minn. R. 7035.1700 item P. A certified operator must be present during the time that the disposal area is open to accept waste. All operations must conform to state and federal site safety regulations.

**2.2.7 Intermittent Cover**

2.2.8 The Permittee shall spread and compact an intermittent cover on all waste at least once per month. The intermittent cover shall be a suitable cover material at least six inches thick when compacted and shall be as described in the Cover Material subheading below. If industrial solid waste is used as intermittent cover material, surface water that comes in contact with the waste shall be collected as leachate.

**2.2.9 Intermediate Cover**

2.2.10 If the disposal area will be exposed to the elements for a period of 120 days or longer, the intermediate cover must consist of 12 inches of compacted soil that has been seeded and mulched to reduce erosion and sediment transport from the site.

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**INDUSTRIAL WASTE DISPOSAL AREA IL 001**

**Operating and Maintenance Criteria**

**2.2.11 Cover Material**

2.2.12 Materials used to cover the waste must be capable of preventing particulate matter from becoming airborne and causing a dust nuisance beyond the perimeter of the lined area of the facility. Waste and soil used as cover material at the facility must have sufficient moisture content to prevent dust production. A dust suppressant or additional cover material must be applied whenever necessary to prevent dust production. The Commissioner reserves the right to alter the type of cover material and frequency of cover placement if problems exist.

Materials used for alternative cover use shall:

- \* not have an offensive odor;
- \* not pose a dusting problem after application is complete;
- \* not be stockpiled or used in such a way as to generate contact with water releases to surface water or groundwater; and
- \* not pose a threat to facility workers.

The following industrial wastes have been authorized for use as alternative cover materials as long as the above conditions can be met and maintained during its use as cover material:

- \*boiler ash, in both a dry and slurry form
- \*bark

**2.2.13 Temporary Storage**

2.2.14 The Permittee may store paper mill sludge for less than 60 days as needed during boiler outages within the lined disposal area of the facility. If needed to manage run-off, temporary berms shall be constructed around the paper mill sludge. Surface water that comes in contact with the paper mill sludge shall be collected as leachate.

**2.2.15 Stormwater Management System**

2.2.16 The Permittee shall operate and maintain the stormwater management system for the disposal area with BMPs to manage stormwater discharges in accordance with the NPDES/SDS Permit for the discharge of stormwater associated with an industrial activity and/or construction activity.

2.2.17 The Permittee must maintain a run-on control system to prevent flow onto the waste activity area and a run-off control system to collect and control flow from the waste activity area resulting from a 24-hour, 25-year storm.

**2.2.18 Industrial Solid Waste Management**

2.2.19 The Permittee must manage industrial solid waste as specified in the documents listed in the Permit Documents heading.

**2.2.20 Water Monitoring Systems**

2.2.21 The Permittee must maintain a water monitoring system in compliance with Minn. R. 7035.2815, subp. 10.

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**INDUSTRIAL WASTE DISPOSAL AREA IL 001**

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## **2.3 Monitoring Criteria**

### **2.3.1 Hydrogeologic Evaluation**

2.3.2 The Permittee must complete a hydrogeologic evaluation in accordance with Minn. R. 7035.1700, subp. S and Minn. R. 7035.2815, subp. 3.

### **2.3.3 Compliance Boundary**

2.3.4 The Permittee must establish compliance boundaries according to Minn. R. 7035.2815, subp. 4, items A through E.

### **2.3.5 Ground Water Performance Standards**

2.3.6 The Permittee must design, construct, operate, and maintain the disposal area to achieve compliance with the analytical limits set forth in the Limits Table(s) of this permit. These limits are based upon the Minnesota Department of Health, Health Risk Limits, and replace the standards listed in Minn. R. 7035.2815, subp. 4, item F, as provided for in Minn. R. 7035.2815, subp. 4, item H.

### **2.3.7 Exceedence of Intervention Limit**

2.3.8 If an intervention limit established in this permit is exceeded, the Permittee must take the actions listed in Minn. R. 7035.2815, subp. 4, item G and the Contingency Action Plan.

### **2.3.9 Water Quality Sampling and Analysis**

2.3.10 Water quality sampling and analysis must be conducted in accordance with Minn. R. 7035.2815, subp. 14 and must include the monitoring stations identified in the Limits Table(s) of this permit. Sampling must be conducted according to the schedule shown in the Limits Table(s) of this permit.

### **2.3.11 Background Water Quality Monitoring**

2.3.12 The Permittee must determine the initial water quality in new monitoring points and monitoring systems, and perform background monitoring in accordance with Minn. R. 7035.2815, subp. 14, item E.

### **2.3.13 Monitoring Protocol**

2.3.14 The Permittee must develop and keep current a written monitoring protocol for the disposal area according to Minn. R. 7035.2815, subp. 14, item G and must ensure the protocol is followed during sampling and sample analysis.

### **2.3.15 Ground Water Quality Sampling and Analysis**

2.3.16 Groundwater quality sampling and analysis must be conducted in accordance with Minn. R. 7035.2815 subp. 14 and must include the monitoring stations identified in the Limits Table(s) Limits Table of this permit. Sampling must be conducted according to the schedule shown in the Limits Table(s) Limits Table of this permit.

### **2.3.17 Leachate Quality Sampling and Analysis**

2.3.18 Leachate quality sampling and analysis must be conducted in accordance with Minn. R. 7035.2815 subp. 14 and must include the monitoring stations identified in the Limits Table(s) of this permit. Sampling must be conducted according to the schedule shown in the Limits Table(s) of this permit. Leachate sampling data shall be submitted electronically as reference in part 1.5.3 of this permit.



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**INDUSTRIAL WASTE DISPOSAL AREA IL 001**

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**Monitoring Criteria**

**2.3.19 Surface Water Quality Sampling and Analysis**

2.3.20 Surface water quality sampling and analysis must be conducted in accordance with Minn. R. 7035.2815, subp. 14 and must include the monitoring stations identified in the Limits Table(s) of this permit. Sampling must be conducted according to the schedule shown in the Limits Table(s) of this permit.

**2.3.21 Waste Characterization**

2.3.22 The Permittee shall re-characterize waste types approved for disposal at the facility when processes change at the paper mill such that the chemical make-up of a waste stream might be modified. The waste characterizations for each waste type approved for disposal at the facility must be representative of the waste stream being generated at the paper mill.

**2.4 Reporting Criteria**

**2.4.1 Routine Monitoring Reporting**

2.4.2 The Permittee shall submit routine water monitoring results accompanied by information sufficient to establish the reliability, precision, and accuracy of the reported values, including the requirements of Minn. R. 7035.2815, subp. 14, item P. This data shall include both the analytical and field data. This data shall be submitted in the electronic format as reference in part 1.5.3 of this permit. Unless specifically directed by the Commissioner, the submittal of a paper copy of all monitoring reports is still required. The Permittee shall submit the monitoring results to the Commissioner according to the schedule in the Required Actions and Submittals Table(s) of this permit.

2.4.3 A spring water monitoring report must be submitted by June 30 of each year. The water monitoring results must be accompanied by information sufficient to establish the reliability, precision, and accuracy of the reported values, including the requirements of Minn. R. 7035.2815, subp. 14, item P. Additionally, the results of the spring leachate sampling shall be submitted with the spring groundwater monitoring report. The groundwater and leachate sampling results shall be submitted in both the electronic format and paper copy.

2.4.4 An autumn water monitoring report must be submitted by February 1 of each year. The water monitoring results must be accompanied by information sufficient to establish the reliability, precision, and accuracy of the reported values, including the requirements of Minn. R. 7035.2815, subp. 14, item P. Additionally the results of the fall leachate sampling shall be submitted with the fall groundwater sampling report. The groundwater and leachate sampling results shall be submitted in both electronic format and paper copy.

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**INDUSTRIAL WASTE DISPOSAL AREA IL 001**

**Reporting Criteria**

**2.4.5 Annual Monitoring Evaluation**

2.4.6 The Permittee shall submit an annual water and leachate monitoring evaluation report in accordance with Minn. R. 7035.2585 and 7035.2815, subp. 14, item Q. The Permittee shall submit the report to the Commissioner, as part of the annual facility report, according to the schedule in the Required Actions and Submittals Table(s) of this permit.

**2.4.7 Annual Waste Activity Report**

2.4.8 The Permittee shall submit an annual report in accordance with Minn. R. 7035.2585 and 7035.2815, subp. 13, item S. The Permittee shall submit the report to the Commissioner, as part of the annual facility report, according to the schedule in the Required Actions and Submittals Table(s) of this permit.

**2.5 Contingency Action Criteria**

**2.5.1 Contingency Action**

2.5.2 The Permittee must implement the actions necessary to comply with requirements in accordance with Minn. R. 7035.2815, subp. 15. and the Contingency Action Plan.

**2.6 Closure Criteria**

**2.6.1 Abandonment**

2.6.2 The disposal area must be closed and abandoned in accordance with this permit and Minn. R. 7035.2500.

**2.6.3 Closure Plan**

2.6.4 The Permittee must close the disposal area as specified in the approved plan in accordance with Minn. R. 7035.2625.

2.6.5 The Permittee must meet the closure requirements specified in Minn. R. 7035.2815, subp. 16, item A.

**2.6.6 Closure Procedures**

2.6.7 The Permittee must complete closure activities in accordance with the closure plan within 180 days following the beginning of closure.

**2.7 Postclosure Criteria**

**2.7.1 Postclosure Plan**

2.7.2 The Permittee must comply with postclosure requirements in the approved plan in accordance with Minn. R. 7035.2645.

**2.7.3 Postclosure Care**

2.7.4 The Permittee must perform postclosure care in accordance with Minn. R. 7035.2655, subp. 1.

**2.7.5 Postclosure Use of Property**

2.7.6 The Permittee must comply with postclosure use of property requirements in accordance with Minn. R. 7035.2655, subp. 2.

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**INDUSTRIAL WASTE DISPOSAL AREA IL 001**

## **2.8 Financial Criteria**

### **2.8.1 Financial Assurance**

2.8.2 The Permittee shall establish and maintain financial assurance in accordance with Minn. R. 7035.2665 to 7035.2805.

### **2.8.3 Cost Estimates**

2.8.4 The Permittee must keep the current cost estimates at the facility during the operating life in accordance with Minn. R. 7035.2685, subp. 2, except that the cost estimates must be updated at the end of each calendar year.

# LIMITS TABLE

Comments:

Report Date: 05/07/2013

Facility: AIM Development Solid Waste Disposal Facility

Permit SW-281

Standard Landfill Monitoring Periods:

Spring: Mar-28 to Apr-28

Summer: Jul-01 to Aug-07

Fall: Oct-14 to Nov-14

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This Limits Table applies to the following stations:

Leachate Metering Manhole

Analyte	CAS/EMMI#	Intervention Limit	Units	Frequency	Comments
1,1-Dichloroethane	753-43	25.0	ug/L	Spring, Summer and Fall	
Alkalinity, Total as CaCO3	T-0-05	-	mg/L	Spring and Fall	
Ammonia Nitrogen	766-44-17	-	mg/L	Spring and Fall	
Arsenic	744-03-82	-	ug/L	Spring and Fall	
Cadmium	744-04-39	-	ug/L	Spring and Fall	
Calcium	744-07-02	-	mg/L	Spring and Fall	
Cation-Anion Balance	F84-1 -	-	%	Spring and Fall	
Chloride	168-87-006	-	mg/L	Spring and Fall	
Copper	744-05-08	-	ug/L	Spring and Fall	
Dieldrin	605-71	0.0015	ug/L	Spring, Summer and Fall	
Ethyl benzene	100-41-4	12.5	ug/L	Spring, Summer and Fall	
Iron	743-98-96	-	ug/L	Spring and Fall	
Lead	743-99-21	-	ug/L	Spring and Fall	
Magnesium	743-99-54	-	ug/L	Spring and Fall	
Manganese	743-99-65	75.0	ug/L	Spring, Summer and Fall	
Mercury	743-99-76	-	ug/L	Spring and Fall	
Potassium	744-00-97	-	ug/L	Spring and Fall	
Sodium	744-02-35	-	ug/L	Spring and Fall	
Sulfate	148-08-798	-	mg/L	Spring and Fall	
Suspended Solids, Total	C-0-09	-	mg/L	Spring and Fall	
Toluene	108-88-3	50.0	ug/L	Spring, Summer and Fall	
Zinc	744-06-66	-	ug/L	Spring and Fall	

# LIMITS TABLE

Comments:

Report Date: 05/07/2013

Facility: AIM Development Solid Waste Disposal Facility

Permit SW-281

Standard Landfill Monitoring Periods:

Spring: Mar-28 to Apr-28

Summer: Jul-01 to Aug-07

Fall: Oct-14 to Nov-14

**DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT**

This Limits Table applies to the following stations:

Lysimeter #1

Analyte	CAS/EMMI#	Intervention Limit	Units	Frequency	Comments
Alkalinity, Total as CaCO3	T-0-05	-	mg/L	Spring and Fall	
Ammonia Nitrogen	766-44-17	-	mg/L	Spring and Fall	
Appearance	1	-	N/A	Spring and Fall	
Arsenic	744-03-82	-	ug/L	Spring and Fall	
Cadmium	744-04-39	-	ug/L	Spring and Fall	
Calcium	744-07-02	-	mg/L	Spring and Fall	
Cation-Anion Balance	F84-1 -	-	%	Spring and Fall	
Chloride	168-87-006	-	mg/L	Spring and Fall	
Copper	744-05-08	-	ug/L	Spring and Fall	
Dissolved Solids, Total	C-0-10	-	mg/L	Spring and Fall	
Iron	743-98-96	-	ug/L	Spring and Fall	
Lead	743-99-21	-	ug/L	Spring and Fall	
Magnesium	743-99-54	-	ug/L	Spring and Fall	
Manganese	743-99-65	75.0	ug/L	Spring, Summer and Fall	
Mercury	743-99-76	-	ug/L	Spring and Fall	
pH	C-0-06	-	SU	Spring and Fall	
Potassium	744-00-97	-	ug/L	Spring and Fall	
Sodium	744-02-35	-	ug/L	Spring and Fall	
Specific Conductance	C-0-11	-	umho/cm	Spring and Fall	
Static Water Level (Elevation, MSL)	PCA-00-1	-	units	Spring and Fall	
Sulfate	148-08-798	-	mg/L	Spring and Fall	
Suspended Solids, Total	C-0-09	-	mg/L	Spring and Fall	
Zinc	744-06-66	-	ug/L	Spring and Fall	

# LIMITS TABLE

Comments:

Report Date: 05/07/2013

Facility: AIM Development Solid Waste Disposal Facility

Permit SW-281

Standard Landfill Monitoring Periods:

Spring: Mar-28 to Apr-28

Summer: Jul-01 to Aug-07

Fall: Oct-14 to Nov-14

**DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT**

This Limits Table applies to the following stations:

MW-13AR , MW-17AR , MW-22A , MW-22B , MW-23A , MW-23B , MW-24A , MW-24B , MW-7AR , MW-7B

Analyte	CAS/EMMI#	Intervention Limit	Units	Frequency	Comments
Alkalinity, Total as CaCO3	T-0-05	-	mg/L	Spring and Fall	
Ammonia Nitrogen	766-44-17	-	mg/L	Spring and Fall	
Appearance	1	-	N/A	Spring and Fall	Field and lab
Arsenic	744-03-82	2.5	ug/L	Spring and Fall	
Cadmium	744-04-39	1.0	ug/L	Spring and Fall	
Calcium	744-07-02	-	mg/L	Spring and Fall	
Cation-Anion Balance	F84-1 -	-	%	Spring and Fall	
Chloride	168-87-006	-	mg/L	Spring and Fall	
Copper	744-05-08	250.0	ug/L	Spring and Fall	
Dissolved Oxygen, Field	T-1-05	-	mg/L	Spring and Fall	
Dissolved Solids, Total	C-0-10	-	mg/L	Spring and Fall	
Eh (Oxidation potential)	4	-	mV	Spring and Fall	
Iron	743-98-96	-	ug/L	Spring and Fall	
Lead	743-99-21	-	ug/L	Spring and Fall	
Magnesium	743-99-54	-	ug/L	Spring and Fall	
Manganese	743-99-65	75.0	ug/L	Spring, Summer and Fall	
Mercury	743-99-76	0.5	ug/L	Spring and Fall	
pH	C-0-06	-	SU	Spring and Fall	Field and lab
Potassium	744-00-97	-	ug/L	Spring and Fall	
Sodium	744-02-35	-	ug/L	Spring and Fall	
Specific Conductance	C-0-11	-	umho/cm	Spring and Fall	Field and lab
Static Water Level (Elevation, MSL)	PCA-00-1	-	ft	Spring and Fall	
Sulfate	148-08-798	-	mg/L	Spring and Fall	
Suspended Solids, Total	C-0-09	-	mg/L	Spring and Fall	
Temperature	T-1-21	-	Deg C	Spring and Fall	Field and lab
Turbidity, Field	G-0-19	-	NTU	Spring and Fall	
Zinc	744-06-66	500.0	ug/L	Spring and Fall	

# LIMITS TABLE

Comments:

Report Date: 05/07/2013

Facility: AIM Development Solid Waste Disposal Facility

Permit SW-281

Standard Landfill Monitoring Periods:

Spring: Mar-28 to Apr-28

Summer: Jul-01 to Aug-07

Fall: Oct-14 to Nov-14

**DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT**

This Limits Table applies to the following stations:

Water Infiltration/Sedimentation Basin

Analyte	CAS/EMMI#	Intervention Limit	Units	Frequency	Comments
Alkalinity, Total as CaCO <sub>3</sub>	T-0-05	-	mg/L	Spring and Fall	
Ammonia Nitrogen	766-44-17	-	mg/L	Spring and Fall	
Appearance	1	-	N/A	Spring and Fall	
Arsenic	744-03-82	2.5	ug/L	Spring and Fall	
Cadmium	744-04-39	1.0	ug/L	Spring and Fall	
Calcium	744-07-02	-	mg/L	Spring and Fall	
Cation-Anion Balance	F84-1 -	-	%	Spring and Fall	
Chloride	168-87-006	-	mg/L	Spring and Fall	
Copper	744-05-08	250.0	ug/L	Spring and Fall	
Dissolved Solids, Total	C-0-10	-	mg/L	Spring and Fall	
Iron	743-98-96	-	ug/L	Spring and Fall	
Lead	743-99-21	-	ug/L	Spring and Fall	
Magnesium	743-99-54	-	ug/L	Spring and Fall	
Manganese	743-99-65	75.0	ug/L	Spring, Summer and Fall	
Mercury	743-99-76	0.5	ug/L	Spring and Fall	
pH	C-0-06	-	SU	Spring and Fall	Field and Lab.
Potassium	744-00-97	-	ug/L	Spring and Fall	
Sodium	744-02-35	-	ug/L	Spring and Fall	
Specific Conductance	C-0-11	-	umho/cm	Spring and Fall	
Sulfate	148-08-798	-	mg/L	Spring and Fall	
Suspended Solids, Total	C-0-09	-	mg/L	Spring and Fall	
Zinc	744-06-66	500.0	ug/L	Spring and Fall	

## Required Actions and Submittals Table

Report Date: 05/07/2013

Facility: AIM Development Solid Waste Disposal Facility

Permit SW-281

Action: PER006

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Subject Item I.D. Total Facility

### Required Actions/Submittals

Frequency/Due Date	Action or Submittal	Requirement
12-SEP-13	Submit Permit Application	To allow for adequate MPCA review time and to avoid possible termination of the permit at the time the permit expires, an application for reissuance of the permit must be submitted to the Commissioner no later than 180 calendar days before the expiration date of the permit.
Annually	Submit Annual Facility Report	An annual facility report for the preceding calendar year must be submitted to the Commissioner by February 1 of each year. The report must include the information identified in Minn. R. 7035.2585 and include summary evaluation reports and specific annual reporting requirements for each waste activity.

Subject Item I.D. IL001

### Required Actions/Submittals

Frequency/Due Date	Action or Submittal	Requirement
Annually	Submit Annual Waste Activity Report	An annual activity waste report for the industrial waste disposal area must be submitted by February 1 with the annual report. The report must include the specific items identified in Minn. R. 7035.2585 and 7035.2815, subp. 13, item S.
Annually	Submit Spring Water Monitoring Report	A spring water monitoring report must be submitted by June 30 of each year. The water monitoring results must be accompanied by information sufficient to establish the reliability, precision, and accuracy of the reported values, including the requirements of Minn. R. 7035.2815, subp. 14, item P. Additionally, the results of the spring leachate sampling shall be submitted with the spring ground water monitoring report. The ground water and leachate sampling results shall be submitted in both the electronic format and paper copy.
Annually	Submit Autumn Water Monitoring Report	An autumn water monitoring report must be submitted by February 1 of each year. The water monitoring results must be accompanied by information sufficient to establish the reliability, precision, and accuracy of the reported values, including the requirements of Minn. R. 7035.2815, subp. 14, item P. Additionally the results of the fall leachate sampling shall be submitted with the fall ground water sampling report. The ground water and leachate sampling results shall be submitted in both electronic format and paper copy.
Annually	Submit Annual Water Monitoring Evaluation Report	An annual water and leachate monitoring evaluation report must be submitted by February 1 of each year in accordance with Minn. R. 7035.2585 and 7035.2815, subp. 14, item Q. The report must include a summary and discussion of the monitoring results for the preceding calendar year.



Waste Capacity Table

Report Date: 05/07/2013  
Facility: AIM Development Solid Waste Disposal Fac  
Permit SW-281  
Action: PER006

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WA ID	Waste Activity Type	Status	Permitted Area	Units	Permitted Capacity	Units	Design Capacity	Units	Comments
IL001	Industrial Waste Disposal Area	Open	27.00	acres	690,310.00	cubic yards	1,505,680.00	cubic yards	The permitted volume is for phases 1 and 2. Ultimate capacity is for phases 1- 4.